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June 5, 2023

**BY ECF**

The Honorable Richard M. Berman  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *United States v. McPhee*, 19 CR 745 (RMB)**

Dear Judge Berman,

Conference is adjourned. Guilty plea,  
if any, is referred to Magistrate Judge.  
Time is excluded pursuant to the Speedy  
Trial Act for the reasons set forth in this  
letter.

**SO ORDERED:**

**Date:** 6/5/23

*Richard M. Berman*  
Richard M. Berman, U.S.D.J.

We are standby counsel for the defendant, Mitchell McPhee, in the above-referenced matter. We are writing to respectfully request a brief adjournment of the status conference scheduled for Tuesday, June 6, 2023, which was to be held by videoconference (at the request of the defendant) until a date in late June. We anticipate that Mr. McPhee will be ready to enter a plea of guilty in this matter shortly. However, more time is needed for him to adequately review the materials in preparation for a plea proceeding. In addition, Mr. McPhee is requesting that the plea proceeding be conducted in person, rather than by videoconference. Both parties are available on June 20, June 21, or June 22, 2023, for an in-person conference. The government consents to the requested adjournment, and the defendant does not object to an exclusion of time under the Speedy Trial Act until the next conference. Thank you for your attention to this matter.

Respectfully submitted,

/s/ Jessica A. Masella

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cc: All counsel of Record via ECF